

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ISAIAH HUMPHRIES,

No. 4:20-CV-00064

Plaintiff,

(Judge Brann)

v.

THE PENNSYLVANIA STATE
UNIVERSITY, JAMES FRANKLIN, and
DAMION BARBER,

Defendants.

ORDER

AND NOW, this 16th day of June 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Plaintiff Isaiah Humphries' Motion for Leave to File a Complaint (Second) Amended Pursuant to Rule 15, Federal Rules of Civil Procedure, Doc. 29, is **GRANTED IN PART AND DENIED IN PART**.
2. Humphries may amend his complaint as provided in Doc. 29-4; except that:
3. Humphries may not add the negligence *per se* claim found at Count II of Doc. 29-4, *see, e.g.*, Doc. 29-4 at ¶¶ 156-61.
4. Defendants' Motion to Dismiss, Doc. 27, is **DENIED AS MOOT**.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge